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KERALA GAZETTE

EXTRAORDINARY

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NOTIFICATION.

No. HC. 5/33976/58/Home (C).

Dated, Trivandrum, 28th March 1958.

KERALA COMMISSION OF INQUIRY RULES, 1958.

In exercise of the powers conferred by Section 12 of the Commissions of Inquiry Act, 1952 (Central Act 60 of 1952) the Government of Kerala hereby make the following Rules:—

1. These Rules may be called the Kerala Commissions of Inquiry Rules, 1958.

2. In these rules, "assessor" means an assessor appointed under these rules.

3. The Commission may issue summons to persons whose attendance is required either to give evidence or to produce documents.

4. Every summons issued by the Commission shall be in duplicate and signed by the Chairman or such person as he empowers in this behalf and sealed with the seal of the Commission; and it shall specify the time and place at which the person summoned is required to attend and also whether his attendance is required for the purpose of giving evidence or to produce a document, or for both purposes.

5. A person may be summoned to produce a document, without being summoned to give evidence; and any person summoned

merely to produce a document shall be deemed to have complied with the summons if he causes such document to be produced instead of attending personally to produce the same.

6. A summons to produce documents may be for the production of certain specified documents or for the production of all documents of a certain description in the possession or power of the person summoned.

7. Every summons shall be served by sending it by post to the person for whom it is intended or in such other manner as the Commission may direct.

8. The provisions of the foregoing rules shall apply, as far as may be, to every other process issued by the Commission.

9. Every person summoned to appear before the Commission shall be entitled to travelling allowance and daily allowance at the rates admissible to witnesses summoned by Civil Courts in the State.

10. The Commission or a person authorised by it shall reduce to writing all oral evidence given by the witness and shall read aloud to each witness by whom it was given and shall be recorded with the proceedings of the Commission:

Provided that the Commission may, if it deems fit, dispense with detailed and full recording of oral evidence of witnesses and instead make a memorandum of the substance of the same.

11. The Government or, with the previous approval of the Government, a Commission, may, from time to time, appoint one or more assessors to assist and advise the Commission on any matter connected with its inquiry.

12. It shall be the duty of the assessors to assist and advise the Commission on any matter on which the Commission may consult them in the course of its inquiry:

Provided that the advice tendered by the assessors shall not be binding on the Commission.

13. The Commission shall have the power to regulate the manner in which it may consult the assessors.

14. The Commission may, determine the party or parties, if any, to the inquiry.

15. The Commission may, on application made to it on that behalf, if it considers expedient so to do, allow any person to enter appearance as a party or as an additional party.

16. No person other than a party shall have the right to produce evidence.

17. In an inquiry a party shall not ordinarily be represented by Counsel; but the Commission may, in view of the complicated issues involved or for other sufficient reason, permit such representations.

By order of the Governor,
N. E. S. RAGHAVACHARI,
Chief Secretary.

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